

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ANTHONY LEE ALLEN, JR.,

Plaintiff,

v.

DANIEL CUEVO, et al.,

Defendants.

No. 2:24-cv-02989-EFB (PC)

ORDER

Plaintiff is a state prisoner proceeding pro se. Plaintiff seeks relief pursuant to 42 U.S.C. § 1983. This proceeding was referred to this court by Local Rule 302 pursuant to 28 U.S.C. § 636(b)(1).

Plaintiff has not paid the court's filing fee. He requests leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. ECF Nos. 3, 15. Review of court records reveals that on at least three occasions lawsuits filed by the plaintiff have been dismissed on the grounds that they were frivolous or malicious or failed to state a claim upon which relief may be granted:

1. *Anthony Lee Allen, Jr. v. Sacramento County, et al.*, E.D. Cal. Case No. 2:21cv0344-DJC-DB, closed on March 29, 2024 pursuant to ECF Nos. 43 and 44.
2. *Anthony Lee Allen, Jr. v. Sacramento County Jail Medical Staff*, E.D. Cal. Case No. 2:21-cv-0870-TLN-CKD, closed on May 24, 2022 pursuant to ECF Nos. 17-19.
3. *Anthony Lee Allen, Jr. v. A.W. Harris, et al.*, E.D. Cal. Case No. 1:22-cv-0688-JLT-

1 HBK, closed on January 4, 2024 pursuant to ECF Nos. 28 and 29.

2 Plaintiff is therefore precluded from proceeding in forma pauperis in this action unless  
3 plaintiff is “under imminent danger of serious physical injury.” 28 U.S.C. § 1915(g). Plaintiff  
4 has not alleged any facts which suggest that he is under imminent danger of serious physical  
5 injury. Thus, plaintiff must submit the appropriate filing fee in order to proceed with this action.

6 In accordance with the above, IT IS HEREBY ORDERED that plaintiff shall submit,  
7 within twenty-one days from the date of this order, the appropriate filing fee. Plaintiff’s failure to  
8 comply with this order will result in a recommendation that this action be dismissed.

9  
10 Dated: January 21, 2025

  
EDMUND F. BRENNAN  
UNITED STATES MAGISTRATE JUDGE